

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LOUISE BROWN, ET AL.,

Plaintiffs,

v.

USAA CASUALTY INSURANCE, ET AL.,

Defendants.

CASE NO. 3:23-cv-05503-JHC

ORDER TO SHOW CAUSE

Defendant USAA Casualty Insurance removed this action based on diversity jurisdiction. Dkt. # 1. The notice of removal states that “Plaintiffs are *residents* of Washington State,” while “USAA is a Texas corporation with headquarters located in San Antonio, Texas.” *Id.* at 2 (emphasis added). But diversity jurisdiction is based on the *citizenship* of the parties, not their *residences*. See *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir. 2001) (“Plaintiffs’ complaint and Pfizer’s notice of removal both state that Plaintiffs were ‘residents’ of California. But the diversity jurisdiction statute, 28 U.S.C. § 1332, speaks of citizenship, not of residency.”). While the two concepts often overlap, they are not coextensive. See *id.* (“A person residing in a given state is not necessarily domiciled there, and thus is not necessarily a citizen of that state.”).

1 USAA Casualty Insurance is ORDERED to show cause within 14 days regarding this  
2 Court's jurisdiction. USAA should clarify whether it asserts that Plaintiffs are citizens of  
3 Washington state. USAA's response shall not exceed two (2) pages.

4 If the Court is satisfied that it has jurisdiction based on USAA's response, the Court will  
5 not issue a separate order confirming such a conclusion.

6 Dated this 16th day of August, 2023.

7   
8

9 John H. Chun  
10 United States District Judge  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24